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FOR PUBLIC AFFAIRS STAFF

PROGRAM Focus on Youth STATION WRC Radio

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SUBJECT Full Text

GARTH ANSEAR (?): This is Garth Ansear inviting you to Focus on Youth, this week with William E. Colby.

ANNOUNCER: Focus on Youth, a completely student-produced press conference of the air.

ANSEAR: Our guest, William E. Colby, is the outgoing Director of the Central Intelligence Agency.

The first question for Mr. Colby is from Micheal Goldman.

MICHAEL GOLDMAN: Mr. Colby, you have spent half your adult years as a professional intelligence officer, and the past two-and-a-half years as Director of the CIA. What do you see as the reasons behind your dismissal?

DIRECTOR WILLIAM COLBY: Oh, I think that the -- it was decided some time ago that it would be well to have a new face on CIA at the end of these hearings and these investigations. And, consequently, they took the opportunity to rearrange the national security structure, changing Dr. Schlesinger, changing Dr. Kissinger's job to that of Secretary of State alone, and at the same time including the change in the leadership of CIA.

GOLDMAN: President Ford has said that your dismissal, as well as Secretary Schlesinger's, were entirely his own decisions. Were you, and are you now, satisfied with this?

DIRECTOR COLBY: I certainly accept his position on that and I have no doubt of it.

GOLDMAN: Looking back on the past few years, is there

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anything you might have done differently?

DIRECTOR COLBY: I can't think of anything in particular. I'm sure if I put some thought to it I might come up with a few things I would do differently. But, in general, I would think the main things I would do about the same way as I did them.

GOLDMAN: The President expressed his desire to work with his own team, and this was his major reason behind the dismissals. What have you done to give President Ford the feeling that you are not a member of his team?

DIRECTOR COLBY: Well, I was, obviously, appointed by President Nixon at the time that Dr. Schlesinger was moved to the Defense Department. I came out of the profession, professional intelligence, and I wasn't a member of a political party or team in any sense.

ANSEAR: You've met Mike Goldman. Also on this week's student panel are Arthur Kravitz and Dan Case. Our guest is the outgoing Director of the Central Intelligence Agency, William E. Colby.

We continue with a question from Dan Case.

DAN CASE: Many people have argued that one of the major problems with a function of government as sensitive as the CIA is that politics interferes with its efficiency. This has been shown only too clearly by the recent investigations into the CIA.

In light of your experience, would you support legislation which would strip a President of his power to fire the CIA Director, and, instead, have the Director appointed to a specified term long enough to free him from any political pressures?

DIRECTOR COLBY: No. I think the CIA Director should serve at the pleasure of the President, because I think that the CIA should not become an independent power of any state. I think it should be dependent upon the constitutional authorities of our country, including the President; and, of course, the Congress has a right to take action against him at any time.

GOLDMAN: Do you feel that the men the President has chosen to fill the two positions are too politically-oriented to be effective?

DIRECTOR COLBY: To fill the position of Director, he chose Mr. George Bush. I have met Mr. Bush a number of times and I have the highest respect for him. His experience in the United Nations and as Ambassador to China I think gives him a good background for the job.

ANSEAR: Focus on Youth continues with CIA Director William Colby in 60 seconds.

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ANSWEAR: This is the student-produced radio interview program Focus on Youth. Our guest this week is CIA Director William E. Colby. The next question for Mr. Colby is from Dan Case.

CASE: Recently the CIA has been funneling money and arms into Angola in an attempt to stalemate the civil war there. The aid, which will soon total \$50 million, was authorized by President Ford because, quote, the Russians are in to win, unquote, all of Angola.

Does this attempt to stalemate Russian-backed forces in Angola indicate the beginning of another Vietnam?

DIRECTOR COLBY: No, I certainly don't think so. I am not at liberty to discuss the details of any possible CIA activity in that -- of that sort, except to say that any activity, other than intelligence gathering, which is conducted by the CIA is conducted in full conformance with the present law, which requires that it be found by the President to be important to the security, and, secondly, has been briefed to the appropriate committees of the Congress, i.e., six of them.

ARTHUR KRAVITZ: Have these committees been briefed?

DIRECTOR COLBY: I say that any activity that CIA may conduct is certainly in compliance with the law, and the committees have been briefed about any activity that CIA may be conducting anywhere.

KRAVITZ: Where...

DIRECTOR COLBY: I cannot discuss the details of any CIA activities such as that.

KRAVITZ: Where \$50 million is involved, shouldn't congressional approval be necessary, as laid out under the Constitution?

DIRECTOR COLBY: The CIA uses appropriated funds for its operations. The Congress appropriates those funds every year. Any CIA activities are the result of a congressional appropriation.

KRAVITZ: Yes, but aren't these funds in fact appropriated under other departments?

DIRECTOR COLBY: According to the law that established

CIA and according to the CIA Act of 1949, certain funds may be appropriated to other departments and later transferred to CIA. We are in compliance with the law as adopted by the Congress.

KRAVITZ: Does this not -- does this practice not undermine the accountability of the CIA to Congress, or of any organization to Congress?

DIRECTOR COLBY: Well, again, the law that established CIA said that its finances, its personnel should -- were freed from any of the normal legislation requiring full disclosure. We have a system of disclosing our activities and our budget to the appropriate committees of the Congress: the Appropriations Committee and our oversight committee, the Armed Services Committee. And they are informed of the activities of CIA.

KRAVITZ: But isn't this law, which is now in the federal court system -- might this law not be considered in violation of the Constitution, which dictates that, quote, no money may be drawn from the Treasury but in consequence of appropriations made by law, and a regular statement of account of the receipts and expenditures of all public money shall be published from time to time?

What I'm saying is doesn't the -- doesn't this policy of masking CIA appropriations under other departments and other appropriated sources remove from Congress its power of control over this organization through the appropriations?

DIRECTOR COLBY: No, I think it is certainly not in violation of the Constitution. I know there is a thesis that that is so. But we have examined the precedents and the statutes and the laws of the Republic from its outset. Some of our earliest Presidents had a secret budget which they used for secret operations, and the Congress at that time agreed, and the courts have since agreed, that those budgets are quite appropriate.

ANSEAR: Katharine Graham, the publisher of The Washington Post, speaking on this program several months ago, stated that after The Post had uncovered the story of the sunken Russian submarine off the Pacific Coast, you went to Mrs. Graham's office and asked her to hold the story for national security reasons. This is just one example of an uncovered secret CIA activity threatening U.S. detente.

Mr. Colby, obviously certain activities of the CIA must remain totally secret. What steps have you taken to eliminate future leaks?

DIRECTOR COLBY: I have advocated some improvement in our legislation that will provide better penalties for people in the intelligence business who reveal the secrets after having

undertaken the obligation to maintain them. I do not believe that we should have an Official Secrets Act which can force the press not to publish a story. I do believe that on occasion one can appeal to the press not to publish a story, in the interest of our country. And on a certain number of occasions, the press has agreed with that request; on other occasions, the press has not agreed with it. And I think the choice should be the press'. But I do believe we need a better discipline for those of us who assume the obligations of keeping the secrets of our country.

ANSEAR: Do you think the present penalties are stiff enough?

DIRECTOR COLBY: No, they are not, because they do not apply to a situation in which someone reveals, wrongfully reveals a secret, provided that he does not reveal it to a foreigner with intent to injure the United States. Those two requirements are necessary before the present laws can apply. And, of course, you can easily reveal a secret to foreigners by revealing it to an American newsman. I think that should not be the case.

President Ford one time said that he would be delighted to share our secrets with 214 million Americans if he could be assured that it would stop with them. But, of course, in the practical sense, it is not possible to stop at the water's edge.

CASE: Last week on this program another guest of ours, Senator Alan Cranston of California, said that 99% of all files called secret by the government should not in fact be kept secret. Do you agree with this statement?

And along these same lines, how much do you feel Congress should be told about so-called United States secrets?

DIRECTOR COLBY: Well, I won't discuss the percentage, necessarily, but I think that it is generally accepted and acknowledged that there are a number of papers that are stamped secret that either the passage of time or the workings of the bureaucracy have now made not necessarily secret. There are procedures by which these can be looked at and declassified these days. There is legislation which provides that. And I think that we can indeed go ahead and try to keep the important matters secret, but to move away from the atmosphere of total secrecy that did surround the intelligence community in the past.

KRAVITZ: You said two years ago that a dividing line should be drawn, quote, at a point in which the United States acknowledges involvement in such activities -- referring to secret activities. Does this mean, as Senator Harold Hughes, formerly, of Iowa put it in 1973, that you believe that, quote, CIA operations are perfectly accountable -- excuse me -- are perfectly acceptable as long as they can be concealed?

DIRECTOR COLBY: No, I do not. I think that there are certain limits as to what we should do and should not do, and I have issued directives as to what should be done and what should not be done.

The secrecy does not determine the appropriateness or propriety of the action. I think what I'm saying, though, is that some perfectly proper activities do have a right to remain in secrecy and that we should keep them secret.

I didn't finish the answer to your other question, which is: How much should Congress know? And here I think that we have essentially three levels of information. There is some information available to the intelligence community that should be declassified and made available to everybody -- Congress, the public, everything. And we do that. We brief people. We provide unclassified documents. The libraries of your universities have documents in them which are produced by CIA which were produced in unclassified form.

The second level is material about the world, substantive intelligence about what is happening in the world, what is going on and what is apt to happen. Some of that comes from very sensitive sources; some of that deals with very sensitive matters. It is classified. This can be made available to Congress; it is made available to Congress in executive session. We have briefed the Space Committee, the Armed Services Committee, the International Relations Committees, a wide variety -- the Agriculture Committee. We brief a wide variety of committees on the Hill on these matters, with the understanding that the matter is considered in executive session, and that -- but before being released, we have a chance to go over it and extract those things that really should be kept secret.

The third category of information are the details of our operational activities, and those, we believe, should only be exposed to the proper oversight committees that we have.

KRAVITZ: Who exercises the authority as to where these -- as to who hears in Congress what is secret? Where is authority exercised in this area?

DIRECTOR COLBY: In the Congress. The Congress establishes the oversight committees, and we report fully to the oversight committees.

With respect to the other committees which ask for substantive briefings as to what happening, then it is the membership of those committees that determine who should attend the meetings.

KRAVITZ: Which committees are you referring to?

DIRECTOR COLBY: I'm referring to the oversight committees,

in the persons of the Armed Services Committee, the Appropriations Committee.

KRAVITZ: Are you not referring...

DIRECTOR COLBY: For any activity other than intelligence gathering, we also brief the Foreign Affairs Committees, in conformance with the law adopted last December.

KRAVITZ: I see. These are not executive committees; these are congressional committees?

DIRECTOR COLBY: These are congressional committees, all three, yes, in both Houses.

KRAVITZ: I see.

ANSEAR: Focus on Youth continues with CIA Director William Colby in 60 seconds.

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ANSEAR: This is the student-produced radio interview program Focus on Youth. Our guest this week is the outgoing Director of the Central Intelligence Agency, William E. Colby.

The next question for Mr. Colby is from Dan Case.

CASE: Mr. Colby, has Russia violated the nuclear arms agreement?

DIRECTOR COLBY: There are a number of -- not very many. There are a few situations which raise ambiguities. We examine those very carefully, we look at them. We cannot say at this time that there is any violation of these agreements. There are some things that are on the edge, that are debatable, but we have not been able to say that there was a clear violation.

CASE: Are there any activities of the United States Government that might be considered on the edge or possibly in violation?

DIRECTOR COLBY: There are certain activities that have been raised with us as possibly being -- raising some confusion as to whether they might be, ambiguous situations.

CASE: Well, is it fair to say, then, that the agreement is merely a bunch of words that both countries are trying to bend to the best of their interests?

DIRECTOR COLBY: Oh, no, no. The agreement is an agreement to reduce our commitment in strategic arms. There are various

ways in which we count things, there are various counting rules that are established, there are various additional rules.

In the workings of an international agreement, just as in the workings of a contract between two businesses, there are situations that have to be negotiated out as you go through the contract, as you go through the agreement. And this working out of the rough edges, if you will, is just a part of the normal diplomatic exchange.

CASE: Mr. Colby, could you comment a little more on what you call the gray areas? What, specifically, has Russia done that might be on the border in violation of these agreements?

DIRECTOR COLBY: Well, I think the Secretary of State referred to a couple of activities in his press conference the other day. There were some activities that raised some question as to the surface-to-air-missile radar that was used at one point. This was looked at and examined very carefully and discussed -- negotiated about, and it went away.

ANSEAR: Mr. Colby, have the intelligence operations of the CIA increased or decreased as a result of the improved Soviet-American relations?

DIRECTOR COLBY: Well, the intelligence operations includes the material that we obtain from what we call open sources, and the more open the relationship between countries, the less of the traditional clandestine kind of acquisition of intelligence you need. And, therefore, any opening of better relations with any country is welcomed to us, because the information moves more freely and easily.

We do have to use clandestine means to -- or technical means to acquire information about closed societies that keep secrets that could threaten our country. We do examine these -- conduct these.

I think there is no major change in the degree of intelligence attention to the Soviet Union. We have improved our knowledge of some of their activities because they've been somewhat more open about some of their things.

GOLDMAN: The New Republic magazine reported in their July 23rd issue that you conceded that supplying conspirator E. Howard Hunt with the equipment to burglarize Daniel Ellsberg's psychiatrist was a mistake. If so, why was it done?

DIRECTOR COLBY: It was done because Mr. Howard Hunt came to the agency, following a telephone call from Mr. Ehrlichman, and asked for certain assistance in a one-time operation that he was going to run in which he was going to interrogate someone. He

explained it in that fashion. He actually took that assistance; he asked for more when he got to working with some of the lower officials in the agency. But then they raised the question as to whether the CIA was getting into some activity that was none of its business. And in response to their raising the question, CIA said it would do no more.

I think we now -- today, we have our rules in the agency that we will insist to know in greater detail what activity someone is going to do with any help from the agency, and we will examine very carefully to see whether it is legal and appropriate for them to do and legal and appropriate for us to do.

GOLDMAN: Are you saying that at the time when E. Howard Hunt came to you, you did not check what he was doing with the equipment that you gave him?

DIRECTOR COLBY: We did not know in detail what he was going to do, no. And we certainly did not know that he was going to conduct the burglary of the apartment. That we certainly did not know.

KRAVITZ: The New York Times reported in June 1975 that there's a 20-year agreement between the CIA and the Justice Department which dictates that no agents will be prosecuted in the performance of their duty. Do you acknowledge that such an agreement exists?

DIRECTOR COLBY: It certainly does not exist anymore, because it was terminated last winter in a conversation between the acting Attorney General and myself. There was an agreement reached in 1953 or '4 -- I've forgotten -- which indicated that because of the high degree of sensitivity of some of our intelligence activities, that we would have a right to look at a potential violation of law and see whether the further action, legal action, on that would so expose important intelligence secrets that it really wasn't worth it. We decided that that kind of a decision could not be made unilaterally by the CIA about its own affairs last winter, and that agreement is terminated. And we fall under the usual law applying to all of the government that any indication of wrongdoing is to be brought to the attention of the Department of Justice

KRAVITZ: Does that mean that any agent of the CIA conducting illegal domestic activities will be prosecuted?

DIRECTOR COLBY: It would mean that if an agent of the CIA conducted an illegal domestic activity at this time, he would indeed be pro -- he would indeed be subject to prosecution.

KRAVITZ: Does this also mean that, therefore, domestic covert activities will cease?

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DIRECTOR COLBY: It certainly does.

KRAVITZ: Joseph ~~Frederick~~ ^{Frederick} (?), in a recently published article, termed the Phoenix Program a basically slipshod operation, poorly supervised and controlled, shot through with corruption and ineptness.

Chomsky and Herman (?), in an article called "Counter-revolutionary Violence: Bloodbath in Fact and Propaganda," suggested that the Phoenix Program points up the, quote, ease with which the American programs are absorbed into and add further corrupting impetus to a system of rackets and indiscriminate torture and killings, and the willingness of the American politico-military machine to actively support and rationalize the most outlandish and brutal systems of terror."

Where did Phoenix go wrong, and where -- and why was it so badly abused?

DIRECTOR COLBY: I do not think that [was] an accurate statement or characterization of the Phoenix Program.

The Phoenix Program was one part of the effort by the South Vietnamese Government to meet the campaign conducted against it. The campaign included regular military forces from North Vietnam, it included regular military forces from the Viet Cong, it included a guerrilla operation, it included terror, it included a wide variety of activities.

The program of the South Vietnamese Government and the United States included regular military forces, it included local territorial forces, it included self-defense forces, in which young people were given weapons by the government of South Vietnam; a half a million weapons were handed out to the people of South Vietnam to help defend themselves, and they used those weapons in their own defense. It included local elections, it included land reform, it included refugee care, and it included Phoenix.

Phoenix was an attempt to identify the command-and-control structure of the Communist apparatus, the terrorist apparatus within Vietnam. It tried to identify the leaders, rather than arresting the followers. It tried to identify the commanders of the agents within South Vietnamese society, and it endeavored to insure that they were captured, that they rallied, or, in certain cases, that they were met in battle.

Eighty-five percent of the people who were killed in the Phoenix Program were killed in regular military encounters by the regular and local defense, territorial forces of the Vietnamese. Some were killed by police in the course of police actions against them. There was a very rude and rough war going on in Vietnam at the time, and the fighting did include a wide variety of kinds of

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encounters between the forces of the two sides. There were cases of abuse, certainly. But the Phoenix Program was designed to try to improve the performance on the South Vietnamese, if not on the Communist side, in the conduct of that war. It resulted in better intelligence, better identification, better procedures for detention, better procedures for identification, better procedures for legal handling of the people. It wasn't perfect, but it was an attempt to improve.

And I might add that the overall effort did seem to pay off, because the overall pacification effort, by the enlistment of the population of Vietnam in the effort and in the focusing on the leadership elements of the enemy, did win the guerrilla war. In 1972 and 1975 the attacks against South Vietnam were purely military attacks; there were no guerrillas, because the guerrillas had joined the South Vietnamese side.

KRAVITZ: Well, how do you respond to the charges of the two articles?

DIRECTOR COLBY: I say they're wrong. They're exaggerated. I said there were abuses, they did take place; but that characterization is inaccurate. And I have testified about this several times in great detail, and I think a careful examination of the facts will prove me right.

ANSEAR: Focus on Youth will return in 60 seconds with a final question for CIA Director William Colby.

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ANSEAR: This is the student-produced radio interview program Focus on Youth. Our guest, CIA Director William E. Colby.

Mr. Colby, I have just one final question, and we have only about one minute remaining at this point. Now, you've agreed to stay on as Director of the CIA until someone else is confirmed for that position. Now, after you leave the CIA, what are your professional plans for the future?

DIRECTOR COLBY: I don't know. I did graduate from law school some years ago and became a member of the bar before I went into the intelligence business. I may go to a cram course and see if I can find out what's happened to the law in the years in which I've been away from it. I may write a little and think about what my experience in intelligence may offer to the country on a longer term.

ANSEAR: I am sorry to call a halt to our discussion, but our time is up. Our guest this week on Focus on Youth has been the outgoing Director of the Central Intelligence Agency, William E. Colby.